Grievance Policy and Procedures

PURPOSE

The purpose of the Grievance Policy and Procedures is to provide guidelines for parents, students, and the general public for filing complaints against ICSAtlanta, an employee, or a Governing Board member of ICSAtlanta on any and all matters, including those related to Section 504 of the Rehabilitation Act of 1973, federal programs such as Title I - Part A, Title I - Part C, Title I - Part D, Title II - Part A, Title III - Part A, Title IV - Part A, Title IV - Part B, Emergency Relief Funds CARES Act, CCRSA Act, ARP Act, Title IX, the McKinney-Vento Act, and any other related state or federal programs or regulations.

ICSAtlanta has adopted grievance procedures that provide for the prompt and equitable resolution of complaints made by students, employees, or other individuals who are participating or attempting to participate in its education program or activity, or by the Title IX Coordinator, alleging any action that would be prohibited by Title IX or the Title IX regulations.

These grievance procedures also serve as the school's Section 504 Grievance Procedures and apply to complaints alleging discrimination on the basis of disability or alleging violations of Section 504 of the Rehabilitation Act of 1973.

GRIEVANCE POLICY

Students, parents, and the general public have the right and responsibility to express school-related concerns and grievances to the faculty and administration. Students and parents shall be assured the opportunity for an orderly presentation and timely review of concerns, which will not interfere with regularly scheduled classes or school-related activities.

The Governing Board seeks to secure, at the lowest possible administrative level, equitable solutions to complaints that may arise. In all cases, ICSAtlanta encourages all parties to attempt to resolve disputes directly at the lowest level possible to promote civility and avoid misunderstandings. Grievances and informal complaints/concerns should be presented in a way and at a time that does not disrupt normal school operations (including school-related events).

The Governing Board shall have the discretion to elevate a grievance directly to Level III, as described below, if appropriate or necessary.

ICSAtlanta does not discourage reporting of grievances, and the information provided in this policy and related procedures will guide complainants through the process of filing a grievance. Details are also included in the Student Handbook. Employees should follow the policy and procedures set forth in the Employee Handbook for filing a grievance.

Retaliation against anyone filing a grievance or participating in an investigation of a grievance is

expressly prohibited. Students who knowingly make false charges may be subject to disciplinary action.

DEFINITIONS

1. **Grievance**: A complaint from a parent, student, or staff member which sets forth the allegation that there has been a violation of any policy, accepted practices, or state or federal law, which includes the following components:

- Summary of the facts;
  - Identification of parties involved and witnesses;
  - Specific identification of the policy, practice, or statute violated; and
  - Statement of requested relief.

2. **Grievant:** Any individual aggrieved by a decision or condition falling under policy, accepted practices, or state or federal law.

GRIEVANCE PROCEDURES

For complaints under Section 504, the 30 calendar day timeline set forth below governs and supersedes the timelines in Levels I through III.

Level I

ICSAtlanta encourages open communication and cooperation. For that reason, students, parents/guardians, and the general public should address concerns directly with the ICSAtlanta staff member(s) suspected of a violation through an informal conversation or email message. Such informal complaints must be submitted within 10 (ten) days of the event/incident of concern.

The ICSAtlanta staff member shall reply to the grievant and initiate action to resolve the issue within five (5) business days of presentation of the informal complaint.

Examples of appropriate Level I complaint procedures:

- A parent contacts his/her child's teacher with concerns about the teacher, another student in the class, the child's conflicts with another child, or needs for the child.
- A parent contacts a member of ICSAtlanta administration or staff about concerns or questions about school administration, student resources, or school operations.

Please note that before escalating a level I grievance to a level II, the grievant *must* take their grievance to their campus-specific director or assistant director (through an email or a meeting) unless the grievance involves a complaint against the campus director or assistant director *for*

an immoral, illegal, and/or unethical concern. In such a case, the Executive Director will review the complaint and may request additional information, as needed, at her discretion.

Level II

If the grievant has acted in good faith to resolve concerns with their campus-specific director or assistant director, and the grievant believes that the issue has not been satisfactorily resolved, the grievant may then initiate a Level II grievance.

1. The grievance must be submitted in writing (by filling out and submitting **THIS** form) to the Executive Director within ten (10) days of receipt of the decision from the respective campus director or assistant director regarding the level I complaint. ***Note***: if an individual has a complaint involving the Executive Director, *for an immoral, illegal, and/or unethical concern,* the complaint may be addressed directly to the Governing Board Chair by submitting **THIS** form.
2. The Executive Director, or her designee, will review the complaint and may request additional information, as needed, at her/his discretion within fifteen (15) business days of receiving the grievance.
3. The Executive Director will issue a written response to the complainant within five (5) business days of the completion of the investigation. The written response will include the Executive Director's findings and/or recommendations for resolution of the grievance. If no written report is issued within the time limits set forth (a total of 20 business days from time written grievance is filed), or if the grievant rejects the findings of the Executive Director, the grievant shall have the right to appeal to the Governing Board for review of the grievance.
4. NOTE: complaints under Section 504 may be filed using the same form or by contacting the 504 Coordinator (LC: Christen Ramo (christen.ramo@icsatlanta.org); UC: JoAnn Levi (joann.levi@icsatlanta.org).

Level III

If the grievant has acted in good faith to resolve concerns with the Executive Director, and the grievant believes that the issue has not been satisfactorily resolved, the grievant may then initiate a Level III grievance. The procedures below shall be followed.

1. The grievance must be submitted in writing (by filling out and submitting **THIS** form) to the ICSAtlanta Governing Board within ten (10) days of receipt of the decision from the Executive Director or upon expiration of the time limits set forth in Level II. The request must include the nature of the grievance and the requested outcome.
2. The Governing Board shall review the grievance and the report of the investigation, applying the clear/convincing evidence standard. At their discretion, a hearing may be conducted. If a hearing is held, the grievant may be accompanied by a representative of the grievant's choice. If the grievant chooses to bring legal counsel, the grievant must notify the Governing Board Chair at least 5 business days in advance of the hearing. In such cases, the Governing Board may choose to have legal counsel present to represent ICSAtlanta.

3. The Governing Board may affirm the Executive Director's recommendations/resolution, amend the Executive Director's recommendations/resolution, or affirm the recommendations in part and amend in part. The Governing Board shall provide a written decision within 30 business days of the date of the grievant's written appeal. If no written decision is issued within the time limit set forth, or if the grievant rejects the decision of the Board, the grievant shall be free to pursue such statutory or administrative remedies as the law may provide.

EXPECTATIONS FOR DECORUM IN PRESENTING A GRIEVANCE

Grievances shall be presented in a respectful manner, and in a way that does not interfere with the school day or school-related events. For example, grievances shall not be presented while a teacher is instructing a class or a staff member is working at a school-sponsored event. Communication by all parties MUST be respectful and in a reasonable, conversational tone at all times.

Grievants are cautioned that personally-directed statements may be slanderous or defaming, and the grievant is liable for his/her statements. ICSAtlanta reserves the right to end any meeting (scheduled or unscheduled) considered to be unproductive, threatening, hostile, inappropriate, or lacking appropriate representation.

TIMELINESS OF GRIEVANCES

Specific to Section 504: The grievance process under Section 504 shall be completed within thirty (30) calendar days from the date the complaint is filed, unless the timeline is extended due to extenuating circumstances, in which case both parties will be notified in writing of the reason for and expected length of the extension.

Any complaint or grievance should be reported immediately after the event in concern. Investigations into alleged wrong-doing need to be completed as soon as possible. Investigations completed after an extended period of time are more difficult to investigate and may lose validity; therefore, the Executive Director and/or Governing Board reserve the right to refuse response to any grievances submitted more than thirty (30) days after the incident, absent exigent circumstances.

Except as provided above for complaints under Section 504, if either party in a grievance wishes to change the timeline set forth in this policy, the party will request the modification(s) from the other party, and both parties will be required to agree to the modification(s).

RESPONSES TO GRIEVANCES

The faculty and administration shall make an honest and forthright effort to resolve complaints or grievances as quickly as possible at the lowest level of authority.

Decisions rendered by the Governing Board shall be considered final.

The grievant may appeal the Governing Board's decision to the
Georgia Department of Education at the following address:

Deputy Appeals Committee of Teacher and Student Support
GaDOE
1854 Twin Towers East
Atlanta, GA 30334

CIVIL RIGHTS CONCERNS

ICSAtlanta fosters a community of diversity, acceptance, and non-discrimination. The ICSAtlanta Governing Board requires full compliance with all federal and state non-discrimination laws, including, but not limited to the following: Title VI and VII of the Civil Rights Act of 1964, Title IX of the Educational Amendments of 1972, Equal Pay Act of 1963, Pregnancy Discrimination Act, Age Discrimination Act of 1975 (Age Act), Age Discrimination and Employment Act (ADEA), Americans with Disabilities Act of 1990 (ADA), Section 504 of the Rehabilitation Act of 1973, Boy Scouts of America Equal Access Act of 2001, and Public Law 101-476, Individuals with Disabilities Education Act (IDEA).

These laws prohibit, and ICSAtlanta forbids, discrimination on the basis of age, race, color, national origin, religion, sex, disability, pregnancy, veteran status, or any other federally protected class in all school programs and activities. This includes academic, extracurricular, athletic, and other school programs, as well as during field trips, and in school classes or training programs that take place off school grounds. Sexual harassment is a form of sex discrimination prohibited by Title IX. ICSAtlanta is committed to upholding these laws and takes discriminatory behaviors seriously. Complaints regarding sexual harassment/sexual discrimination, as defined by Title IX, should be communicated to our Title IX Coordinator Christen Ramo (christen.ramo@icsatlanta.org, 470-222-7420, 1335 Northmeadow Parkway, Suite 100, Roswell, Ga 30076). Please feel free to submit your report using **ICSAtlanta's Title IX Incident Report Form**.

Complaints regarding civil rights should be submitted in the procedures described above.

Discrimination complaints may also be filed directly at the following addresses:

Equal Employment Opportunity Commission
Sam Nunn Atlanta Federal Center
100 Alabama Street, SW, Suite 4R30 Atlanta, GA 30303

or

U.S. Department of Education
Atlanta Office for Civil Rights
61 Forsyth St. S.W., Suite 19T70
Atlanta, GA 30303-3104

FERPA COMPLAINTS

Individuals have the right to file a complaint with the U.S. Department of Education concerning alleged failures by the school to comply with the requirements of FERPA. The name and address of the office that administers FERPA is the Family Policy Compliance Office, U.S. Department of Education, 400 Maryland Avenue, SW, Washington, DC 20202-8520.

SPECIAL NOTE

ICSAtlanta appreciates and understands that concerned, engaged parents and guardians will have varying opinions about ICSAtlanta policies and procedures. ICSAtlanta is grateful for parent/guardian involvement and participation, and respectful, thoughtful engagement is always welcome. In order to promote a positive, collaborative community, ICSAtlanta encourages questions and concerns about policies and procedures such as uniforms, carpool, homework requirements, curriculum, etc. be addressed by submitting a question/concern to info@ICSAtlanta.org and allow at least five (5) business days for a response. Please understand that concerns expressed may not lead to a change in policy and/or procedures and that ICSAtlanta administration considers the good of the entire ICSAtlanta community, as well as federal and state requirements, when making decisions.

DISSEMINATION

This policy and corresponding procedures shall be posted on the ICSAtlanta website.